

## PETER BUCKLEY.

JANUARY 27, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. GRIFFIN, from the Committee on Military Affairs, submitted the following

### REPORT.

[To accompany S. 2355.]

The Committee on Military Affairs, to whom was referred the bill (S. 2355) to remove the charge of desertion from the military record of Peter Buckley, have had the same under consideration and would report thereon as follows:

This being a Senate bill, the report of the Committee on Military Affairs of the Senate thereon sets forth the facts in the case as follows:

Peter Buckley, now of Norwalk, Conn., was born December 25, 1840. He was enlisted as a private April 20, 1861, in Company E, Eleventh New York Volunteers, otherwise known as the Ellsworth Zouaves, to serve two years. He was returned as a deserter August 1, 1861. When he enlisted he was a minor and his guardian was Dr. Drake, of New York, now dead. George W. Quintard, of the Quintard Iron Works, of New York City, certified that Buckley was an apprentice under him at the Morgan Iron Works up to April, 1861; that he was not of age, and left before his time had expired.

The evidence shows that young Buckley ran away and enlisted without the consent of his guardian. At the battle of Bull Run, July 21, 1861, the regiment was badly broken up. A part of the regiment was afterwards stationed at Annapolis, Md. During that time Capt. J. B. Leverich, of Company E, gave Buckley and others leaves of absence to go to New York City. They went there in charge of Lieutenant Berry. Dr. Drake, guardian, refused to let Buckley return and ordered him back to his work in the iron works, promising to obtain his honorable discharge as a minor when the regiment should be mustered out.

Buckley declares that the first notice he had that he was returned as a deserter was when he applied, October, 1886, for his discharge. Two credible witnesses testify as to the refusal of the guardian to let Buckley return to service because the guardian was on Buckley's apprenticeship bond. These witnesses were workmen with Buckley. One of them who worked beside Buckley in the same room heard these facts at the time from the guardian and from Buckley. Buckley was where he could have been easily reached at any time if he had been treated as a deserter. It is in evidence that he is and has been a man of excellent reputation, a consistent member of the church, which has contributed a large part to his support.

Buckley made application under the act of July 5, 1884, for relief, but his case did not come within the law.

Your committee approve and adopt the report of the Senate Committee on Military Affairs and concur in the favorable report so made and recommend that the bill do pass.